

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PERRY SMITH,

)

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Petitioner,

)

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vs.

)

Case No. 4:07CV1830 AGF

)

DISMAS HOUSE OF ST. LOUIS, et al.,)

)

Respondents.

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ORDER

Upon review of the Court file, petitioner has failed to comply with the Court's order dated **November 20, 2007**. Rule 41(b) of the Federal Rules of Civil Procedure permits the Court to dismiss a case for failure to prosecute or to comply with a Court order.

Accordingly,

IT IS HEREBY ORDERED that petitioner's petition for writ of habeas corpus is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b)

Dated this 31st Day of December, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE